



General Assembly

January Session, 2003

Raised Bill No. 5157

LCO No. 958

Referred to Committee on Government Administration and
Elections

Introduced by:
(GAE)

***AN ACT CONCERNING DISCLOSURE OF AUTOPSY REPORTS FOR
PERSONS WHO DIE IN THE CARE OR CUSTODY OF THE STATE OR
AS A RESULT OF POLICE ACTION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 19a-411 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) The Office of the Chief Medical Examiner shall keep full and
4 complete records properly indexed, giving the name, if known, of
5 every person whose death is investigated, the place where the body
6 was found, the date, cause and manner of death and containing all
7 other relevant information concerning the death and a copy of the
8 death certificate. The full report and detailed findings of the autopsy
9 and toxicological and other scientific investigation, if any, shall be a
10 part of the record in each case. The office shall promptly notify the
11 state's attorney having jurisdiction of such death and deliver to the
12 state's attorney copies of all pertinent records relating to every death in
13 which further investigation may be advisable. Any state's attorney,
14 chief of police or other law enforcement official may, upon request,

15 secure copies of such records or other information deemed necessary
16 by such official for the performance of [his or her] official duties.

17 (b) The report of examinations conducted by the Chief Medical
18 Examiner, Deputy Chief Medical Examiner, an associate medical
19 examiner or an authorized assistant medical examiner, and of the
20 autopsy and other scientific findings may be made available to the
21 public only through the Office of the Chief Medical Examiner and in
22 accordance with this section, section 1-210 and the regulations of the
23 commission. Any person may obtain copies of such records upon such
24 conditions and payment of such fees as may be prescribed by the
25 commission, except that no person with a legitimate interest in the
26 records shall be denied access to such records, and no person may be
27 denied access to records concerning a person in the care or custody of
28 the state at the time of death, or who died as a result, directly or
29 indirectly, of police action or activity. As used in this section, a "person
30 in the care or custody of the state" is a person who (1) receives care at
31 an inpatient or outpatient facility or institution operated or managed
32 by a state agency, or operated or managed on behalf of a state agency,
33 or (2) is committed to the custody of [(1) the Commissioner of
34 Correction for confinement in a correctional institution or facility or a
35 community residence, (2) the Commissioner of Children and Families,
36 or (3) the Commissioner of Mental Retardation] a state agency, for the
37 purpose of confinement or treatment, in a facility or institution used,
38 operated or managed by a state agency, or used, operated or managed
39 on behalf of a state agency.

40 (c) Upon application by the Chief Medical Examiner or state's
41 attorney to the superior court for the judicial district in which the
42 death occurred, or to any judge of the superior court in such judicial
43 district when said court is not then sitting, said court or such judge
44 may limit such disclosure to the extent that there is a showing by the
45 Chief Medical Examiner or state's attorney of compelling public
46 interest against disclosure of any particular document or documents.
47 Public authorities, professional, medical, legal or scientific bodies or

48 universities or similar research bodies may, in the discretion of the
49 commission, have access to all records upon such conditions and
50 payment of such fees as may be prescribed by the commission. Where
51 such information is made available for scientific or research purposes,
52 such conditions shall include a requirement that the identity of the
53 deceased persons shall remain confidential and shall not be published.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

Statement of Purpose:

To make available to the public the findings of autopsies conducted by the Chief Medical Examiner's office on any person who died while in the care of the state or as the result of police action.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]